

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

WOODSIDE MANAGEMENT CO., et)	CASE NO. 5:14-cv-1826
al.,)	
)	
PLAINTIFFS,)	JUDGE SARA LIOI
)	
vs.)	
)	ORDER OF REMAND
)	
)	
ANDERW BRUEX,)	
)	
DEFENDANT.)	

Before the Court is the parties' joint motion to remand this matter to state court (Doc. No. 13 ["Joint Mot."]). This contract action on a stock purchase agreement was originally filed in state court by plaintiff Woodside Management Company, an Ohio company, on July 17, 2014. (Doc. No. 1-1, State Compl.) Defendant Andrew Bruex, a resident of Michigan, removed this action to federal court, on August 18, 2014, on the basis of diversity jurisdiction. (Doc. No. 1, Notice of Removal, at 1, citing 28 U.S.C. § 1332.)

In the present motion to remand, the parties represent that, through discovery, it has been determined that "additional parties need to be added and the addition of at least one of these necessary parties will destroy diversity." (Joint Mot. at 159.) The subsequently filed amended complaint identifies Woodside Logic Corp., a Michigan corporation, as an additional plaintiff. (Doc. No. 15 ["Am. Compl."] ¶ 2.) The amended complaint further explains that: "[i]n anticipation of this matter being remanded

to Summit County Common Pleas Court, Woodside Logic Corp. registered in Ohio as a foreign corporation and as required by the Ohio Secretary of State has an Ohio mailing address for those purposes.” (*Id.*) Thus, while the heading of the amended complaint lists an Ohio address for Woodside Logic Corp., the company remains a Michigan corporation.

With the addition of Woodside Logic Corp. as a party plaintiff, there no longer remains complete diversity between plaintiffs and defendant, and the Court cannot, therefore, exercise jurisdiction over this matter pursuant to 28 U.S.C. § 1332. *See Carden v. Arkomo Assoc.*, 494 U.S. 185, 187, 110 S. Ct. 1015, 108 L. Ed. 2d 157 (1990) (diversity jurisdiction requires *complete* diversity of citizenship between plaintiffs and defendants) (citation omitted). Accordingly, the Court hereby GRANTS the parties’ joint motion to remand. This matter is hereby REMANDED to the Summit County Court of Common Pleas.

IT IS SO ORDERED.

Dated: March 12, 2015



HONORABLE SARA LIOI
UNITED STATES DISTRICT JUDGE